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DATE: February 23, 2005
FILE NO: ROC920010108US1
TO: Examiner Hoang Nguyen-Ba
FAX NO: 703/872-9306
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FROM: Gero G. McClellan
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ORIGINAL TO FOLLOW? ☐ YES ☒ NO

RESPONSE TO FINAL OFFICE ACTION DATED JANUARY 21, 2005

U.S. SERIAL NO.: 09/912,975
FILING DATE: July 25, 2001
INVENTOR: Birkholz et al.
EXAMINER: Hoang Nguyen-Ba
GROUP ART UNIT: 2122
CONFIRMATION NO.: 6558

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PATENT

Am. Dkt. No. ROC52001070SUS1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Birkholz et al.

Serial No.: 09/912,975

Confirmation No.: 6558

Filed: July 25, 2001

For: Method and Apparatus for Automating Software Upgrades

Group Art Unit: 2122

Examiner: Nguyễn-Ba, Hoang

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office to fax number 703/872-9306 to the attention of Examiner Hoang Vu A. Nguyen-Ba on the date below:

February 23, 2005
Date Gero G. McClellan

Dear Sir,

RESPONSE TO FINAL OFFICE ACTION DATED JANUARY 21, 2005

In response to the Final Office Action dated January 21, 2005, having a shortened statutory period for response set to expire on April 21, 2005, please enter this response and reconsider the claims pending in the application for reasons discussed below. While no fees are believed due, the Commissioner is hereby authorized to charge counsel's Deposit Account No. 09-0465 for any fees, including extension of time fees or excess claim fees, required to make this response timely and acceptable to the Office.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper. Remarks/Arguments begin on page 8 of this paper.